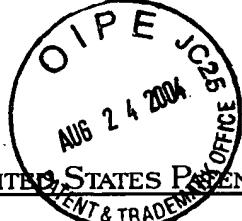


IFW



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/754,594	01/12/2004	Tetsuo Ono	520.37552CC2

CONFIRMATION NO. 8013

020457  
 ANTONELLI, TERRY, STOUT & KRAUS, LLP  
 1300 NORTH SEVENTEENTH STREET  
 SUITE 1800  
 ARLINGTON, VA 22209-9889

## FORMALITIES LETTER



\*OC000000013477145\*

Date Mailed: 08/09/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

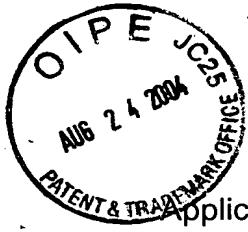
Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*



J. McElhaney

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



520.37552CC2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): T. ONO, et al  
Serial No.: 10/754,594  
Filed: January 12, 2004  
For: A SURFACE PROCESSING METHOD OF A SPECIMEN AND SURFACE PROCESSING APPARATUS OF THE SPECIMEN

**REPLY TO OFFICE LETTER**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 24, 2004

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated August 9, 2004, in connection with the above-identified application, applicants submit that such Notice is in error in that a copy of the Declaration filed in grandparent application Serial No. 09/393,893 was submitted with the continuation application papers as evidenced by the attached copy of the return receipt postcard showing "Declaration (3 pages)". It is noted that the submission of the Declaration is also indicated in the Utility Patent Application Transmittal. Thus, it is apparent that the submitted declaration has apparently become misplaced in the USPTO. Accordingly, attached hereto is a copy of the executed Declaration submitted on January 12, 2004 and applicants submit that no fee is due.

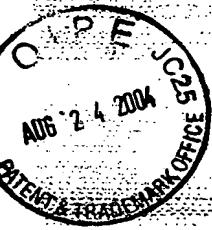
Please charge any shortages in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (520.37552CC2) and please credit any excess fees to such deposit account.

Respectfully submitted,



Melvin Kraus  
Registration No. 22,466  
ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee  
Attachments  
(703) 312-6600



Patent Dkt. No. 520.37552CC2 Attorney Initials MK/cee

Application No. \_\_\_\_\_ Filing Date January 12, 2004

Applicant(s) T. ONO, et al

Papers Filed Herewith on January 12, 2004

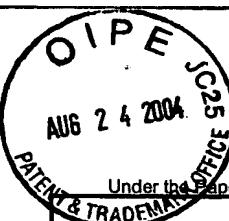
Receipt is hereby acknowledged of the papers filed as indicated by the checked items in connection with the above-identified application:

- New Application Transmittal Form CA     Credit Card Payment Form  
33 Pages of Specification (4 claims)    Fees \$ 770.00  
 12 Sheets of Drawings     Amendment  
 Declaration (3 pages)     Response to Office Action  
 Fee Transmittal Form     Petition for Extension of Time (   mos.)  
 Claim for Priority     Information Disclosure Statement  
 Priority Documents     PTO-1449     Copies of References  
 Assignment Papers     Revised Drawings (   sheets)  
 Issue Fee Transmittal     Notice of Appeal  
 Other \_\_\_\_\_

31355 U.S. PTO  
10/754594

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011204



PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	520.37552CC2
First Inventor	ONO, TETSUO
Title	A SURFACE PROCESSING METHOD OF A SPECIMEN AND A SURFACE PROCESSING APPARATUS OF THE SPECIMEN
Express Mail Label No.	

**APPLICATION ELEMENTS**

SEE MPEP chapter 600 concerning utility patent application contents.

**ADDRESS TO:**  
 Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
3. <input checked="" type="checkbox"/> Specification [Total Pages: 33] <i>(preferred arrangement set forth below)</i>	a. <input type="checkbox"/> Computer Readable Form (CRF)
-Descriptive title of the invention	b. Specification Sequence Listing on:
-Cross Reference to Related Applications	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or
-Statement Regarding Fed sponsored R & D	ii. <input type="checkbox"/> paper
-Reference to sequence listing, a table, or a computer program listing appendix	c. <input type="checkbox"/> Statements verifying identity of above copies
-Background of the Invention	
-Brief Summary of the Invention	
-Brief Description of the Drawings ( <i>if filed</i> )	
-Detailed Description	
-Claim(s)	
-Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets: 12]	
5. Oath or Declaration [Total Sheets: 3]	
a. <input type="checkbox"/> Newly executed (original or copy)	9. <input type="checkbox"/> Assignment Papers (cover sheet & documents(s))
b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i>	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>
i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)	11. <input type="checkbox"/> English Translation Document ( <i>if applicable</i> )
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:	13. <input type="checkbox"/> Preliminary Amendment
<input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 10/135,516	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
Prior application information: Examiner: K. Chen Art Unit: 1765	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.	16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
	17. <input checked="" type="checkbox"/> Other: <b>Reaffirmation of Claim for Priority</b>

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number	020457			OR <input type="checkbox"/> Correspondence address below
Name	ANTONELLI, TERRY, STOUT & KRAUS, LLP			
Address				
City		State		Zip Code
Country		Telephone	(703) 312-6600	Fax
Name (Print/Type)	Melvin Kraus			Registration No. (Attorney/Agent)
Signature				Date
				January 12, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.